

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA (RICHMOND)

In re:

CIRCUIT CITY STORES, INC., ET AL.,

Debtors.

Chapter 11

Case No. 08-35653

Jointly Administered

Hearing Date: January 16, 2009

Objections Due: January 12, 2009

**AMENDED NOTICE OF MOTION OF TOMTOM, INC., FOR AN ORDER UNDER
SECTIONS 105, 362, AND 363 MODIFYING THE AUTOMATIC STAY TO PERMIT
THE EXERCISE OF SETOFF AND/OR RECOUPMENT RIGHTS AGAINST THE
DEBTORS**

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not wish the Court to grant the relief sought in this motion, or if you want the Court to consider your views on the motion, then by January 12, 2009, you must file a written response explaining your position with the Court at the following address: Clerk of Court, United States Bankruptcy Court, 1100 East Main Street, Room 310, Richmond, VA 23219-3515, and serve a copy on the movant's attorney at the address shown below. Unless a written response is filed and served by January 12, 2009, the Court may deem opposition waived, treat the motion as conceded, and issue an order granting the requested relief.

If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before January 12, 2009. Attend the preliminary hearing scheduled to be held on: January 16, 2009 and 10:00 a.m. in the Courtroom, Room 5000, United States Bankruptcy Court, U.S. Courthouse Annex, 1100 East Main Street, Richmond, Virginia. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: New York, New York
December 23, 2008

Respectfully Submitted,

NIXON PEABODY LLP

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